

REMARKS

In the Action, the drawings were objected to for various reasons. In response, Figure 2 has been amended with the Examiner's comments in mind, and enclosed is a copy of the applicable drawing figures for approval by the Examiner. Specifically, the reference numeral "12" in Figure 2 has been changed to the correct numeral "14," and the "V-shaped" notch has been removed.

Claims 5-22 and 24-26 were objected to on the basis of their multiple dependency. By this amendment, each of those claims have either been deleted or amended and thus the remaining claims from that group are believed to be in proper form.

Claims 2-4 were rejected under 35 U.S.C. §112 (second paragraph) as being indefinite for various reasons. By this Amendment, claims 2 and 4 have been deleted, and claim 3 has been amended. It is now believed that the subject matter of remaining claim 3 from that group is in proper form and that the §112 rejection has been overcome.

On the merits, claims 1-4 and 23 were rejected under 35 U.S.C. §102(b) as being anticipated by either the Eisenhower patent (U.S. No. 4,572,035) or the Poling patent (U.S. No. 4,713,990). By this Amendment, claims 1 and 3 of that group have been amended, and claims 2, 4, and 23 deleted from the case. More specifically, claim 1 has been amended to include the features contained in original dependent claims 16-18 and 20. Claim 1, which is the only independent claim remaining in the case, has been amended to claim a tool for aiding the removal of a fastening member, the tool having an elongated body with a "means for deforming an end face of the fastener member" on one end, as well as "means to cause rotation" of the fastening member to unscrew it from the structure. In addition, the tool contains a spring mounted mandrel, which is arranged to engage with the end face of the fastening member to accurately locate the end of the body member.

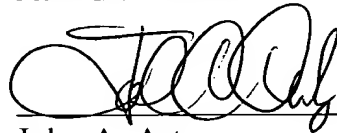
It is believed that none of the prior art references, particularly the Eisenhower and Poling references, disclose or suggest the inventive combination of features forming the subject matter of amended claim 1. Amended claim 1 is believed to be novel and inventive over the art relied upon by the Examiner. In this regard, the claim is substantially the same as the claim which has been allowed in the corresponding European application.

With this Amendment, claims 1, 3, 5, 7-9, 13, 15, 19 and 21 have been amended, while claim 22 has been left unchanged. The remaining claims have all been deleted and withdrawn from the case. As a result, only claims 1, 3, 5, 7-9, 13, 15, 19, and 21-22 remain in the case.

In view of the foregoing, it is submitted that all of the claims remaining in the case, namely claims 1, 3, 5, 7-9, 13, 15, 19, and 21-22 are in proper form and patentably distinguish from the prior art. Accordingly, allowance of these claims and passage of the application to issuance are respectfully solicited.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE**In the Claims:**

Claim 1 has been replaced with the following:

1. (Amended) A tool for aiding the removal of a fastening member from a structure to which it is attached by means of a threaded connection, the tool comprising: an elongate body member (30) having first and second ends, the first end having means (31) for deforming an end face of the fastening member to provide an area of purchase thereon; and means (44) to cause rotation of the fastening member to unscrew the fastening member from the structure, the tool being characterized in that a mandrel (38) is provided which is spring mounted within the body member and arranged to engage with the end face of the fastening member for locating the first end of the body member with respect to the end face of the fastening member.

Claim 2 has been deleted.

Claim 3 has been replaced claim 3 with the following:

3. (Amended) A tool according to claim 1 [or 2,] wherein said means to cause rotation comprises attachment means for the attachment of an operating member (44) and wherein the attachment means is located at the second end of the body member (30).

Claim 4 has been deleted.

Claim 5 has been replaced with the following:

5. (Amended) A tool according to claim 3 [or 4], wherein the means to cause rotation, the attachment means or the operating member comprises an impact means (44) for both imparting a blow to the tool and providing the means for rotation.

Claim 6 has been deleted.

Claims 7-9 have been replaced with the following:

7. (Amended) A tool according to claim 1 [any of the preceding claims], wherein the means for deforming the fastening member comprises at least one cutting means (31') for biting into said end face.

8. (Amended) A tool according to claim 7, wherein the cutting means includes at least one [an] angled cutting edge.

9. (Amended) A tool according to claim 7 [or 8], wherein the cutting means comprises a blade ring (31) having blades arranged around an aperture formed in the blade ring.

Claims 10-12 have been deleted.

Claim 13 has been replaced with the following:

13. (Amended) A tool according to claim 1 [any of the preceding claims], wherein the first end of the body member is provided with an aperture running longitudinally through the center of the body member.

Claim 14 has been deleted.

Claim 15 has been replaced with the following:

15. (Amended) A tool according to claim 9 [or 14], wherein the aperture enables a bolt or similar object, on which is threaded a fastening member, to be lowered into the body member such that the blades (14, 31) come into contact with an end face of said fastening member.

Claims 16-18 have been deleted.

Claim 19 has been replaced with the following:

19. (Amended) A tool according to claim 1 [18 or 19], wherein the leading end of the mandrel (38) is tapered.

Claim 20 has been deleted.

Claim 21 has been replaced with the following:

21. (Amended) A tool according to claim 1 [any of the preceding claims], wherein the tool is provided with means (43) for preventing peripheral damage to the structure.

Claims 23-26 have been deleted.

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